

Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC  
6385 S. Rainbow Blvd., Suite 400  
Las Vegas, Nevada 89118  
(702) 938-3838

1 Howard J. Russell, Esq.  
Nevada Bar No. 8879  
2 [hrussell@wwhgd.com](mailto:hrussell@wwhgd.com)  
Rosemary Missisian, Esq.  
3 Nevada Bar No. 8575  
[rmissisian@wwhgd.com](mailto:rmissisian@wwhgd.com)  
4 WEINBERG, WHEELER, HUDGINS,  
GUNN & DIAL, LLC  
5 6385 S. Rainbow Blvd., Suite 400  
Las Vegas, Nevada 89118  
6 Telephone: (702) 938-3838  
Facsimile: (702) 938-3864

7 *Attorneys for Plaintiff*  
8 *National Union Fire Insurance*  
9 *Company of Pittsburgh, Pa.*

10 **IN THE UNITED STATES DISTRICT COURT**  
11 **DISTRICT OF NEVADA**

12 NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA,

13  
14 Plaintiff,

15 v.

16 FIESTA PALM LLC dba PALMS CASINO  
RESORT, a Nevada Limited Liability Company,  
17 and ENRIQUE RODRIGUEZ, an individual,

18 Defendants.  
19

20 FCH1 LLC, formerly known as Fiesta Palms LLC,  
21 a Nevada Limited Liability Company,

22 Counter-Claimant,

23 v.

24 NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA,

25 Counter-Defendant.  
26  
27

Civil Action No. 2:11-cv-00598-JCM-GWF

Consolidated with:

Civil Action No. 2:12-cv-01823-JCM-NJK

**STIPULATION AND ORDER  
OF DISMISSAL OF  
PLAINTIFF'S CLAIMS**

The parties hereto, by and through their undersigned counsel, hereby stipulate that National Union Fire Insurance Company of Pittsburgh, Pa.'s ("National Union") claims for relief are hereby dismissed, pursuant to FRCP 41. Defendant Enrique Rodriguez, as he has asserted no claims in this matter, is hereby dismissed as a party. The claims of FCH1 LLC (now known as FP Holdings, L.P. d/b/a Palms Casino Resort) ("Palms") shall remain against both National Union and Zurich American Insurance Company ("Zurich"). The caption will be amended to reflect these changes.

<p>Dated: April 13, 2015.</p> <p><u>/s/ Howard J. Russell</u>  Howard J. Russell, Esq.  Rosemary Missisian, Esq.  WEINBERG, WHEELER, HUDGINS  GUNN &amp; DIAL, LLC  6385 S. Rainbow Blvd., Suite 400  Las Vegas, Nevada 89118</p> <p><i>Attorneys for National Union Fire Insurance Company of Pittsburgh, Pa.</i></p>	<p>Dated: April 13, 2015.</p> <p><u>/s/ Ramiro Morales</u>  Ramiro Morales, Esq.  MORALES FIERRO &amp; REEVES  600 S. Tonopah Drive, Suite 300  Las Vegas, Nevada 89106</p> <p><i>Attorneys for Zurich American Insurance Company</i></p>
<p>Dated: April 13, 2015..</p> <p><u>/s/ J. Randall Jones</u>  J. Randall Jones, Esq.  KEMP, JONES &amp; COULTHARD, LLP  3800 Howard Hughes Pkwy., 17<sup>th</sup> Floor  Las Vegas, NV 89169</p> <p><i>Attorneys for FCH1 LLC (now known as FP Holdings, L.P. d/b/a Palms Casino Resort)</i></p>	

///

///

///

///

///

Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC  
6385 S. Rainbow Blvd., Suite 400  
Las Vegas, Nevada 89118  
(702) 938-3838

**ORDER**

Pursuant to the Stipulation of the parties hereto, National Union Fire Insurance Company of Pittsburgh, Pa.'s claims for relief are hereby dismissed, pursuant to FRCP 41. Defendant Enrique Rodriguez is hereby dismissed as a party, the Palms' claims against both National Union and Zurich remain, and the caption of the matter will be amended to read:

FP HOLDINGS, L.P. d/b/a PALMS CASINO RESORT, a Nevada limited partnership,

Counter-Claimant,

v.

NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA,

Counter-Defendant.

FP HOLDINGS, L.P., d/b/a PALMS CASINO RESORT, a Nevada limited partnership,

Plaintiff,

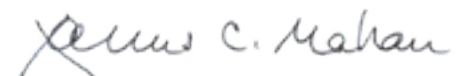
v.

ZURICH AMERICAN INSURANCE COMPANY, a New York corporation; DOES I-X and ROE CORPORATIONS I-X, inclusive,

Defendants.

**IT IS SO ORDERED.**

Dated April 16, 2015.



**Hon. James C. Mahan**  
**United States District Court Judge**